

U.S. Patent Appln. No. 09/605,612  
Response dated Nov. 23, 2005  
Office Action dated Aug. 24, 2005  
Docket No. BOC9-1999-0085 (142)

### **REMARKS / ARGUMENTS**

These remarks are made in response to the Final Office Action mailed August 24, 2005. This response is filed within the 3-month shortened statutory period, and as such, no fee is believed due. The Examiner, however, is authorized to charge any appropriate fees to Deposit Account 50-0951.

Claims 1-18 and 22-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,349,132 to Wesemann, et al. (Wesemann).

It is stated at page 10 of the Office Action, however, that the evidence submitted in Applicants' response dated June 2, 2005, appears "sufficient to prove conception and diligence" from a date prior to the effective date of Wesemann. It is further stated, though, that the "submitted evidence is not filed in a proper format." The Examiner requested that "Applicant either address all of the evidence in the declaration or incorporated by reference thereto instead of mentioning the evidence in the remarks."

In response to the Office Action, Applicants hereby submit the enclosed Declaration. The newly-submitted Declaration addresses all of the evidence as requested by the Examiner. Applicants respectfully submit that, in view of the evidence and the newly-submitted Declaration, Wesemann is effectively removed from consideration against Applicants' invention. Applicants respectfully submit further that the invention thus defines over the prior art.

### **CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject

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application to completion. Applicants' representative can be reached at **561-671-3616**  
**(DIRECT LINE)**

Respectfully submitted,

Dated: November 23, 2005



Gregory A. Nelson, Reg. No. 30,577  
Richard A. Hinson, Reg. No. 47,652  
Marc A. Boillot, Reg. No. 56,164  
AKERMAN SENTERFITT  
Customer Number 40987  
P.O. Box 3188  
West Palm Beach, FL 33402-3188  
Tel: 561-653-5000